Daily Digest

HIGHLIGHTS

House Committees ordered reported 42 sundry measures, including the Foreign Operations, Export Financing and Related Programs Appropriations for fiscal year 2003.

Senate

Chamber Action

Routine Proceedings, pages \$8509-\$8581

Measures Introduced: Nine bills and two resolutions were introduced, as follows: S. 2925–2933, and S. Res. 325–326.

Page S8565

Measures Reported:

- S. 1069, to amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for the majority of the trails in the System, with amendments. (S. Rept. No. 107–276)
- S. 2482, to direct the Secretary of the Interior to grant to Deschutes and Crook Counties in the State of Oregon a right-of-way to West Butte Road, with an amendment in the nature of a substitute. (S. Rept. No. 107–277)
- S. 2712, to authorize economic and democratic development assistance for Afghanistan and to authorize military assistance for Afghanistan and certain other foreign countries, with an amendment in the nature of a substitute. (S. Rept. No. 107–278)

H.R. 809, to make technical corrections to various antitrust laws and to references to such laws, with an amendment.

Pages \$8564-65

Measures Passed:

DNA Sexual Assault Justice Act: Senate passed S. 2513, to assess the extent of the backlog in DNA analysis of rape kit samples, and to improve investigation and prosecution of sexual assault cases with DNA evidence, after agreeing to a committee amendment in the nature of a substitute.

Pages S8577-80

Year of the Blues: Senate agreed to S. Res. 316, designating the year beginning February 1, 2003, as the "Year of the Blues". Page \$8580

U.S. Congressional Philharmonic Society: Committee on the Judiciary was discharged from further

consideration of H. Con. Res. 183, expressing the sense of Congress regarding the United States Congressional Philharmonic Society and its mission of promoting musical excellence throughout the educational system and encouraging people of all ages to commit to the love and expression of musical performance, and the resolution was then agreed to.

Page S8580

National Historically Black Colleges and Universities Week: Committee on the Judiciary was discharged from further consideration of S. Res. 305, designating the week beginning September 15, 2002, as "National Historically Black Colleges and Universities Week", and the resolution was then agreed to.

Page S8580

Congratulating National Farmers Union: Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration of S. Res. 324, congratulating the National Farmers Union for 100 years of service to family farmers, ranchers, and rural communities, and the resolution was then agreed to.

Page \$8581

New York Transportation Conformity Requirements Waiver: Senate passed H.R. 3880, to provide a temporary waiver from certain transportation conformity requirements and metropolitan transportation planning requirements under the Clean Air Act and under other laws for certain areas in New York where the planning offices and resources have been destroyed by acts of terrorism, clearing the measure for the President.

Page S8581

Department of the Interior Appropriations: Senate resumed consideration of H.R.5093, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2003, taking action on the following amendments proposed thereto:

Pages \$8515-21

Pending:

Byrd Amendment No. 4472, in the nature of a substitute. Pages \$8515-21

Byrd Amendment No. 4480 (to Amendment No. 4472), to provide funds to repay accounts from which funds were borrowed for emergency wildfire suppression.

Page S8515

Craig/Domenici Amendment No. 4518 (to Amendment No. 4480), to reduce hazardous fuels on our national forests. Page S8515

Dodd Amendment No. 4522 (to Amendment No. 4472), to prohibit the expenditure of funds to recognize Indian tribes and tribal nations until the date of implementation of certain administrative procedures.

Page S8515

Byrd/Stevens Amendment No. 4532 (to Amendment No. 4472), to provide for critical emergency supplemental appropriations. Pages \$8520-21

A unanimous-consent agreement was reached providing for further consideration of the bill on Friday, September 13, 2002, with a vote in relation to Dodd Amendment No. 4522 (to Amendment No. 4472), listed above, to occur at 10:15 a.m. Page S8581

Homeland Security Act: Senate resumed consideration of H.R. 5005, to establish the Department of Homeland Security, taking action on the following amendments proposed thereto:

Pages S8521-35, S8536-53

Rejected:

By 48 yeas to 49 nays (Vote No. 215), Hollings Amendment No. 4533 (to Amendment No. 4471), to modify the membership and advisors of the National Security Council. Pages \$8521–27, \$8535

Pending:

Lieberman Amendment No. 4471, in the nature of a substitute. Pages \$8521-53

Thompson/Warner Amendment No. 4513 (to Amendment No. 4471), to strike title II, establishing the National Office for Combating Terrorism, and title III, developing the National Strategy for Combating Terrorism and Homeland Security Response for detection, prevention, protection, response, and recover to counter terrorist threats. (By 41 yeas to 55 nays (Vote No. 214), Senate failed to table the amendment.)

Pages \$8527-35

Lieberman Amendment No. 4534 (to Amendment No. 4513), to provide for a National Office for Combating Terrorism, and a National Strategy for Combating Terrorism and the Homeland Security Response.

Pages \$8536-53

A unanimous-consent agreement was reached providing for further consideration of the bill at 12 noon, on Friday, September 13, 2002. Page S8552

Nomination—Agreement: A unanimous-consent agreement was reached providing for the consider-

ation and confirmation of the nomination of Jose E. Martinez, to be United States District Judge for the Southern District of Florida, at 9:45 a.m., on Friday, September 13, 2002.

Page S8581

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a notice stating that the continuation of the national emergency with respect to the terrorist attacks on the United States of September 11, 2001 is to continue in effect beyond

September 14, 2002; to the Committee on Banking, Housing, and Urban Affairs. (PM-107) Page S8561

Nominations Confirmed: Senate confirmed the following nomination:

By unanimous vote of 88 yeas (Vote No. EX. 213), Timothy J. Corrigan, of Florida, to be United States District Judge for the Middle District of Florida.

Pages \$8510-15, \$8581

Nominations Received: Senate received the following nominations:

Maura Ann Harty, of Florida, to be an Assistant Secretary of State (Consular Affairs).

Ralph R. Erickson, of North Dakota, to be United States District Judge for the District of North Dakota.

S. Maurice Hicks, Jr., of Louisiana, to be United States District Judge for the Western District of Louisiana.

Thomas L. Ludington, of Michigan, to be United States District Judge for the Eastern District of Michigan.

William D. Quarles, Jr., of Maryland, to be United States District Judge for the District of Maryland.

Victor J. Wolski, of Virginia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Glen L. Bower, of Illinois, to be a Judge of the United States Tax Court for a term of fifteen years after he takes office.

Page S8581

Messages From the House: Page S8561
Measures Placed on Calendar: Page S8561

Executive Communications: Pages \$8561-64

Additional Cosponsors: Page S8565-66

Statements on Introduced Bills/Resolutions:

Pages S8566-72

Additional Statements: Page \$8557-61

Amendments Submitted: Page S8572-75

Notices of Hearings/Meetings: Pages S8575-76

Authority for Committees to Meet: Page S8576

Privilege of the Floor:

Page S8576

Record Votes: Three record votes were taken today. (Total—215) Page S8515, S8535

Adjournment: Senate met at 9:45 a.m., and adjourned at 7:53 p.m., until 9:45 a.m., on Friday, September 13, 2002. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page \$8581).

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the following business items:

- S. 1210, to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, with an amendment in the nature of a substitute;
- S. 2239, to amend the National Housing Act to simplify the downpayment requirements for FHA mortgage insurance for single family homebuyers, with amendments; and

The nomination of Wayne Abernathy, of Virginia, to be Assistant Secretary of the Treasury for Financial Institutions.

Prior to this action, Committee concluded hearings on the nomination of Wayne Abernathy (listed above), after the nominee testified and answered questions in his own behalf.

INTERNET AND CHILDREN

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space concluded hearings on S. 2537/H.R. 3833, bills to facilitate the creation of a new, second-level Internet domain within the United States country code domain that will be a haven for material that promotes positive experiences for children and families using the Internet, provides a safe online environment for children, and helps to prevent children from being exposed to harmful material on the Internet, after receiving testimony from Representative Shimkus; Ann Brown, Safer America for Everyone, former Chairman, U.S. Consumer Product Safety Commission, and James A. Casey, NeuStar, Inc., both of Washington, D.C.; Ruben Rodriguez, National Center For Missing and Exploited Children, Alexandria, Virginia; and Jan P. Whitley, Silver Spring, Maryland

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported H.R. 5063, to amend the Internal Revenue Code of 1986 to provide a special rule for members of the uniformed services in determining the exclusion of gain from the sale of a principal residence and to restore the tax exempt status of death gra-

tuity payments to members of the uniformed service, with an amendment in the nature of a substitute.

STRATEGIC OFFENSIVE REDUCTIONS

Committee on Foreign Relations: Committee held hearings to examine the Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions (Treaty Doc. 107–8), receiving testimony from Rose E. Gottemoeller, Carnegie Endowment for International Peace, former Assistant Secretary of Energy for Non-Proliferation and National Security, Fred C. Ikle, Center for Strategic and International Studies, James E. Goodby, Brookings Institution, and Henry D. Sokolski, Non-proliferation Policy Education Center, all of Washington, D.C.; William J. Perry, Stanford University Institute for International Studies, Stanford, California; and John P. Holdren, Harvard University John F. Kennedy School of Government, Cambridge, Massachusetts.

MULTILATERAL DEVELOPMENT BANK REFORM

Committee on Foreign Relations: Subcommittee on International Economic Policy, Export and Trade Promotion concluded hearings to examine the Administration's Multilateral Development Bank reform agenda, focusing on the authorizations for the replenishment of the World Bank's International Development Association, the African Development Fund, and the Asian Development Fund, after receiving testimony from John B. Taylor, Under Secretary of the Treasury for International Affairs, Caroline Atkinson, Council on Foreign Relations/ Stonebridge International, former Senior Deputy Assistant Secretary of the Treasury for International Monetary and Financial Policy, former Senior Adviser to the Secretary of the Treasury, James C. Orr, Bretton Woods Committee, David Beckmann, Bread for the World, and George Ayittey, American University, all of Washington, D.C.; and Allan H. Meltzer, Carnegie Mellon University/American Enterprise Institute, Pittsburgh, Pennsylvania, recessed subject to the call.

UNEMPLOYMENT AND THE ECONOMY

Committee on Health, Education, Labor, and Pensions: Committee concluded hearings to examine unemployed Americans in the context of the current economic situation, focusing on Temporary Emergency Unemployment Compensation (TEUC) reform, after receiving testimony from Lawrence Mishel, Economic Policy Institute, and Wendell Primus, Center on Budget and Policy Priorities, both of Washington, D.C.; and Felix Batista, New York, New York, on behalf of New York Unemployment Project.

House of Representatives

Chamber Action

Measures Introduced: 9 public bills, H.R. 5373–5376; 5378–5382; 1 private bill, H.R. 5377; and 1 resolution, H. Con. Res. 467, were introduced.

Reports Filed: Reports were filed today as follows: H.R. 5091, to increase the amount of student loan forgiveness available to qualified teachers, with an emphasis on special education teachers, amended (H. Rept. 107–655).

Page H6250

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Terry to act as Speaker pro tempore for today. Page H6231

Guest Chaplain: The prayer was offered by the Most Reverend John R. Gaydos, Bishop of Jefferson City, Missouri.

Page H6231

Journal: Agreed to the Speaker's approval of the Journal of Wednesday, September 11 by a recorded vote of 342 ayes to 42 noes with 1 voting "present", Roll No. 386.

Pages H6231, H6232-33

Security Assistance Act: The House disagreed with the Senate amendment to H.R. 1646, to authorize appropriations for the Department of State for fiscal years 2002 and 2003, and agreed to a conference. Agreed to the motion to go to conference by a yeaand-nay vote of 382 yeas with none voting "nay," Roll No. 385. Appointed as conferees from the Committee on International Relations for consideration of the House bill and the Senate amendment, and modifications committed to conference: Chairman Hyde and Representatives Smith of New Jersey, Ros-Lehtinen, Lantos, and Berman. And from the Committee on the Judiciary for consideration of sections 234, 236, 709, 710, and 844 and section 404 of the Senate amendment, and modifications committed to conference: chairman Sensenbrenner, Smith of Texas, and Convers. Pages H6231-32, H6233

Back to School Tax Relief Act: The House agreed to H. Res. 521, the rule that is providing for consideration of H.R. 5193, to amend the Internal Revenue Code of 1986 to allow a deduction to certain taxpayers for elementary and secondary education ex-

penses by a yea-and-nay vote of 208 yeas to 201 nays, Roll No. 387. Pages H6233-40

Presidential Message National—Emergency re the Terrorist Threat: Read a message from the President wherein he transmitted a notice stating that the emergency declared with respect to the terrorist attacks on the United States of September 11, 2001, is to continue in effect after September 14, 2002—referred to the Committee on International Relations and ordered printed (H. Doc. 107–261).

Pages H6240-41

Legislative Program:—The Majority Leader announced the legislative program for the week of Sept. 16.

Pages H6240-41

Meeting Hour—Friday, Sept. 13: Agreed that when the House adjourns today, it adjourn to meet at 10 a.m. on Friday, Sept. 13. Page H6241

Meeting Hour—Tuesday, Sept. 17: Agreed that when the House adjourns on Friday, Sept. 13, 2002, it adjourn to meet at 12:30 p.m. on Tuesday, Sept. 17 for morning-hour debate.

Page H6241

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, Sept. 18.

Page H6241

Quorum Calls—Votes: Two yea-and-nay votes and one recorded vote developed during the proceedings of the House today and appear on pages H6232, H6232–33, H6239–40. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 1:27 p.m.

Committee Meetings

ADMINISTRATION'S HEALTHY FORESTS INITIATIVE

Committee on Agriculture: Subcommittee on Department Operations, Oversight, Nutrition and Forestry held a hearing on the Administration's Healthy Forests Initiative. Testimony was heard from Mark E. Rey, Under Secretary, Natural Resources and the Environment, USDA; and Rebecca Watson, Assistant Secretary, Land and Minerals Management, Department of the Interior.

FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Ordered reported the Foreign Operations, Export Financing and Related Programs Appropriations for fiscal year 2003.

ECONOMIC OUTLOOK

Committee on the Budget: Held a hearing on Economic Outlook. Testimony was heard from Alan Greenspan, Chairman, Board of Governors, Federal Reserve System.

WORKFORCE INVESTMENT ACT IMPLEMENTATION

Committee on Education and the Workforce: Sub-committee on 21st Century Competitiveness held a hearing entitled "Implementation of the Workforce Investment Act: Promising Practices in Workforce Development." Testimony was heard from public witnesses.

LEAKING UNDERGROUND STORAGE TANKS

Committee on Financial Services: Subcommittee on Housing and Community Opportunity held a hearing entitled "The Erosion of Communities and Home Values by Leaking Underground Storage Tanks." Testimony was heard from Representative Kanjorski; Todd Eachus, Representative, State of Pennsylvania; and public witnesses.

CONFLICT WITH IRAQ

Committee on Government Reform: Held a hearing entitled "Conflict With Iraq—An Israeli Perspective." Testimony was heard from Benjamin Netanyahu, former Prime Minister of Israel.

OVERSIGHT

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing on Privacy Concerns Raised by the Collection and Use of Genetic Information by Employers and Insurers. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Ordered reported the following bills: H.R. 282, amended, to authorize the Pyramid of Remembrance Foundation to establish a memorial in the District of Columbia or its environs to soldiers who have lost their lives during peacekeeping operations, humanitarian efforts, training, terrorist

attacks, or covert operations; H.R. 464, Kate Mullany National Historic Site Act; H.R. 635, amended, Steel Industry National Historic Park Act; H.R. 1811, PILT and Refuge Revenue Sharing Permanent Funding Act; H.R. 1946, Rocky Boy's/ North Central Montana Regional Water System Act of 2001; H.R. 2386, Outfitter Policy Act of 2001; H.R. 2408, Yankton Sioux Tribe and Santee Sioux Tribe Equitable Compensation Act; H.R. 2826, amended, to increase the waiver requirement for certain local matching requirements for grants provided to American Samoa, Guam, the Virgin Islands, or the Commonwealth of the Northern Mariana Islands; H.R. 3148, amended, to amend the Alaska Native Claims Settlement Act to provide equitable treatment of Alaska Native Vietnam Veterans; H.R. 3630, amended, to direct the Secretary of the Interior to conduct a special resource study to determine the national significance of the Miami Circle site in the State of Florida and the suitability and feasibility of its inclusion in the National Park System as part of Biscayne National Park; H.R. 3747, Bainbridge Island Japanese-American Memorial Study Act of 2002; H.R. 3765, John L. Burton Trail Act; H.R. 3802, to amend the Education Land Grant Act to require the Secretary of Agriculture to pay the costs of environmental reviews with respect to conveyances under that Act; H.R. 3896, to repeal the reservation of mineral rights made by the United States when certain lands in Livingston Parish, Louisiana were conveyed by Public Law 102-562; H.R. 4141, amended, Red Rock Canyon National Conservation Area Protection and Enhancement Act of 2002; H.R. 4692, to amend the Act entitled "An Act to authorize the Establishment of the Andersonville National Historic Site in the State of Georgia, and for other purposes", to provide for the addition of certain donated lands to the Andersonvile National Historic Site; H.R. 4734, amended, Alaska Federal Lands Management Demonstration Project Act; H.R. 4830, Southern Campaign of the Revolution Heritage Area Study Act; H.R. 4844, amended, Wild Sky Wilderness Act of 2002; H.R. 4853, amended, to provide that land which is owned by the Seminole Tribe of Florida but which is not held in trust by the United States for the Tribe may be mortgaged, leased, or transferred by the Tribe without further approval by the United States; H.R. 4874, to direct the Secretary of the Interior to disclaim any Federal interest in lands adjacent to Spirit Lake and Twin Lakes in the State of Idaho resulting from possible omission of lands from an 1880 survey; H.R. 4910, amended, to

authorize the Secretary of the Interior to revise a repayment contract with the Tom Green County Water Control and Improvement District No. 1, San Angelo project, Texas; H.R. 4919, amended, Tonto and Coconino National Forests Land Exchange Act; H.R. 4944, amended, Cedar Creek Battlefield and Belle Grove Plantation National Historical Park Act; H.R. 4966, amended, National Oceanic and Atmospheric Administration Act; H.R. 4968, amended, Federal-Utah State Trust Lands Consolidation Act; H.R. 5032, amended, to authorize the Secretary of Agriculture to convey certain National Forest System lands in the Mendocino National Forest, California, to authorize the use of the proceeds from such conveyances for National Forest purposes; H.R. 5097, amended, to adjust the boundaries of the Salt River Bay National Historical Park and Ecological Preserve located in St. Croix, Virginia Islands; H.R. 5099, to extend the periods of authorization for the Secretary of the Interior to implement capital construction projects associated with the endangered fish recovery implementation programs for the Upper Colorado and San Juan River Basins; H.R. 5108, to authorize leases for terms not to exceed 99 years on lands held in trust for the Yurok Tribe and the Hopland Band of Pomo Indians; H.R. 5109, amended, to direct the Secretary of Energy to convey a parcel of land at the facility of the Southwestern Power Administration in Tupelo, Oklahoma; H.R. 5125, amended, Civil War Battlefield Preservation Act of 2002; H.R. 5180, amended, to direct the Secretary of Agriculture to convey certain real property in the Dixie National Forest in the State of Utah; S. 434, Yankton Sioux Tribe and Santee Sioux Equitable Compensation Act; S. 491, to authorize the Secretary of the Interior, pursuant to the provisions of the Reclamation Wastewater and Groundwater Study and Facilities Act to participate in the design, planning, and construction of the Denver Water Reuse project; S. 691, to direct the Secretary of Agriculture to convey certain land in the Lake Tahoe Basin Management Unit, Nevada, to the Secretary of the Interior, in trust for the Washoe Indian Tribe of Nevada and California; S. 941, amended, Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act of 2001; S. 1227, Niagara Falls National Heritage Area Study Act; S. 1240, Timpanogos Interagency Land Exchange Act; S. 1907, to direct the Secretary of the Interior to convev certain land to the city of Haines, Oregon; and S. 1946, Old Spanish Trail Recognition Act of 2002.

PROPOSED HOUSE RULES CHANGES

Committee on Rules: Held a hearing on proposed changes to House rules. Testimony was heard from Representatives Weldon of Pennsylvania, Rohrabacher, Weldon of Florida, Frank and Norton.

REGIONAL DEVELOPMENT AUTHORITIES PROGRESS AND PROSPECTS

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings and Emergency Management held a hearing on Delta Regional Authority and Southeast Crescent Authority: Progress and Prospects for Regional Development Authorities. Testimony was heard from Representatives Hayes and McIntyre; Pete Johnson, Federal Co-Chairman, Delta Regional Authority; and public witnesses.

HOMELESS VETERANS PROGRAMS

Committee on Veterans' Affairs: Held a hearing on the Department of Veterans Affairs homeless veterans programs. Testimony was heard from the following officials of the Department of Veterans Affairs: Anthony J. Principi, Secretary; and John Kuhn, Chief, New Jersey Homeless Services; Raymond Boland, Secretary, Department of Veterans' Affairs, State of Wisconsin; representatives of veterans organizations; and public witnesses.

PATIENT SAFETY IMPROVEMENT ACT

Committee on Ways and Means: Subcommittee on Health approved for full Committee action, as amended, H.R. 4889, Patient Safety Improvement Act of 2002.

Joint Meetings

9/11 INTELLIGENCE INVESTIGATION

Joint Hearing: Senate Select Committee on Intelligence held joint closed hearings with the House Permanent Select Committee on Intelligence to examine events surrounding September 11, 2001.

Hearings continue on Tuesday, September 17.

NATIONAL DEFENSE AUTHORIZATION

Conferees continued in evening session to resolve the differences between the Senate and House passed versions of H.R. 4546, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, and to prescribe personnel strengths for such fiscal

year for the Armed Forces, focusing on airland, emerging threats, personnel, and strategic provisions.

SECURING AMERICA'S FUTURE ENERGY ACT

Conferees met to resolve the difference between the Senate and House passed versions of H.R. 4, to enhance energy conservation, research and development and to provide for security and diversity in the energy supply for the American people, but did not complete action thereon, and recessed subject to the call.

COMMITTEE MEETINGS FOR FRIDAY, SEPTEMBER 13, 2002

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Environment and Public Works: to hold oversight hearings to examine the implementation of the Comprehensive Everglades Restoration Plan, 9:30 a.m., SD-406.

House

No Committee meetings are scheduled.

Next Meeting of the SENATE 9:45 a.m., Friday, September 13

Next Meeting of the HOUSE OF REPRESENTATIVES 10 a.m., Friday, September 13

Senate Chamber

Program for Friday: Senate will consider and confirm the nomination of Jose E. Martinez, to be United States District Judge for the Southern District of Florida; following which, Senate will continue consideration of H.R. 5093, Department of the Interior and Related Agencies Appropriations Act.

At 12 noon, Senate will resume consideration of H.R. 5005, Homeland Security Act.

House Chamber

Program for Friday: Pro forma session.

Extensions of Remarks, as inserted in this issue

HOUSE

Bentsen, Ken, Tex., E1573 Blunt, Roy, Mo., E1568 Brown, Henry E., Jr., S.C., E1566 Capuano, Michael E., Mass., E1574 Castle, Michael N., Del., E1574 Clement, Bob, Tenn., E1568 Costello, Jerry F., Ill., E1571 Coyne, William J., Pa., E1564 Davis, Tom, Va., E1563 Emerson, Jo Ann, Mo., E1575 Filner, Bob, Calif., E1564, E1567 Fossella, Vito, N.Y., E1572 Harman, Jane, Calif., E1567 Hastings, Alcee L., Fla., E1566

Hobson, David L., Ohio, E1570 Hoeffel, Joseph M., Pa., E1567 Hoyer, Steny H., Md., E1562, E1563, E1564 Kennedy, Patrick J., R.I., E1562, E1563 Kerns, Brian D., Ind., E1561 Kleczka, Gerald D., Wisc., E1568 Kucinich, Dennis J., Ohio, E1567 Lampson, Nick, Tex., E1569 Lantos, Tom, Calif., E1571 Lee, Barbara, Calif., E1566 Levin, Sander M., Mich., E1568 Lewis, Jerry, Calif., E1570 Lipinski, William O., Ill., E1573 Lofgren, Zoe, Calif., E1574 McInnis, Scott, Colo., E1561, E1562, E1564 Mascara, Frank, Pa., E1562, E1565

Miller, George, Calif., E1569 Moore, Dennis, Kansas, E1561, E1562, E1563 Nethercutt, George R., Jr., Wash., E1570 Ose, Doug, Calif., E1568 Owens, Major R., N.Y., E1564, E1566 Pelosi, Nancy, Calif., E1568 Portman, Rob, Ohio, E1566 Pryce, Deborah, Ohio, E1564 Roukema, Marge, N.J., E1573 Shaw, E. Clay, Jr., Fla., E1563, E1565 Simmons, Rob, Conn., E1575 Skelton, Ike, Mo., E1574 Smith, Nick, Mich., E1572 Udall, Mark, Colo., E1565



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